

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA

v.

**NO.: CR-2-07-087
JUDGE FROST**

**CHRISTOPHER PAUL,
aka Abdul,
aka Abdul Malek,
aka Abdul Malik,
aka Abdul Melik,
aka Abdulmaled,
aka Abdel Malek,
aka Abdul Malek Kenyatta,
aka Paul Kenyatta Laws,
aka Paul Laws**

**GOVERNMENT'S PLEA AGREEMENT SUBMISSION
OF ELEMENTS AND PENALTIES FOR**

Conspiracy to Use Weapons of Mass Destruction

1. Elements: 18 U.S.C. § 2332a

- First: Two or more persons agreed to willfully form the conspiracy described in Count 2 of the Indictment;
- Second: The defendant knowingly and voluntarily became a member of said conspiracy;
- Third: The object of the conspiracy was to use a weapon of mass destruction, namely, explosives to be used as bombs and similar devices, which are destructive devices as defined in 18 U.S.C. §921, against one or more of the following:
- (a) U.S. nationals outside the United States; or
 - (b) Persons or property within the United States where such use would have affected interstate or foreign commerce; or
 - (c) Property that was owned, leased, or used by the United States whether such property was within or outside the United States; and
- Fourth: Such conspiracy existed, in whole or in part, at or about the time alleged in the Southern District of Ohio.

Note: 18 U.S. C. §2332a contains its own conspiracy provision, which does not specifically require an overt act. Therefore, it is the position of the United States no overt act is required as an element, analogous to 21 U.S.C. §846, 18 U.S.C. 1956(h) and other offenses containing their own conspiracy offense. See United States v. Abdi, 498 F. Supp. 2d 1048, 1064 (S.D. Ohio 2007), citing Whitfield v. United States, 543 U.S. 209 (2005); Nash v. United States, 229 U.S. 373 (1913).

2. PENALTIES

- A. Mandatory Minimum: None.
- B. Possible Maximum: Life imprisonment, a \$250,000 alternative fine, 5 years supervised release, and a \$100 special assessment.

GREGORY G. LOCKHART
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF OHIO

By: 

DANA M. PETERS (0034226)
Assistant United States Attorney

By: 

ROBYN JONES HAHNERT ((0022733)
Assistant United States Attorney